

**United States District Court****for the****Eastern District of Washington**FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON**Dec 14, 2023**

SEAN F. McAVOY, CLERK

**Petition for Warrant or Summons for Offender Under Supervision**

Name of Offender: Justin Curtis Werle

Case Number: 0980 2:14CR00041-WFN-1

Address of Offender: [REDACTED], Spokane, Washington 99224

Name of Sentencing Judicial Officer: The Honorable Wm. Fremming Nielsen, Senior U.S. District Judge

Date of Original Sentence: September 5, 2014

Original Offense: Felon in Possession of a Firearm and Ammunition, 18 U.S.C. §§ 922(g)(1);  
Possession of an Unregistered Firearm, 18 U.S.C. § 5861(d)Original Sentence: Prison - 180 months; Type of Supervision: Supervised Release  
TSR - 120 monthsResentenced: Prison - 140 months;  
(August 9, 2016) TSR - 36 monthsResentenced: Prison - 120 months;  
(January 26, 2023) TSR- 36 months

Asst. U.S. Attorney: Timothy J. Ohms

Date Supervision Commenced: August 25, 2023

Defense Attorney: Colin G. Prince

Date Supervision Expires: August 24, 2026

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**PETITIONING THE COURT**

To issue a warrant.

On August 28, 2023, the conditions of supervision were reviewed with the offender and he signed said conditions acknowledging an understanding of his requirements.

The probation officer believes that the offender has violated the following condition(s) of supervision:

| <u>Violation Number</u> | <u>Nature of Noncompliance</u> |
|-------------------------|--------------------------------|
|-------------------------|--------------------------------|

|   |  |
|---|--|
| 1 | <b><u>Special Condition #4:</u></b> You shall abstain from the use of illegal controlled substances, and shall submit to urinalysis testing (which may include urinalysis or sweat patch), as directed by the supervising officer, but no more than 6 tests per month, in order to confirm continued abstinence from these substances. |
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**Supporting Evidence:** The offender is alleged to have violated special condition number 4 by failing to report to Pioneer Human Services (PHS) for urinalysis testing on November 29 and December 5, 2023.

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The probation officer received email correspondence from PHS indicating Mr. Werle failed to report to their facility for urinalysis testing on November 29 and December 5, 2023.

- 2        **Special Condition #4:** You shall abstain from the use of illegal controlled substances, and shall submit to urinalysis testing (which may include urinalysis or sweat patch), as directed by the supervising officer, but no more than 6 tests per month, in order to confirm continued abstinence from these substances.

**Supporting Evidence:** The offender is alleged to have violated special condition number 4 by ingesting a controlled substance, methamphetamine, on or about December 6, 2023.

On December 8, 2023, Mr. Werle submitted a urine specimen at the U.S. Probation Office that was presumptively positive for methamphetamine. At that time, the offender signed an admission form acknowledging use of said substance on or about December 6, 2023.

- 3        **Special Condition #4:** You shall abstain from the use of illegal controlled substances, and shall submit to urinalysis testing (which may include urinalysis or sweat patch), as directed by the supervising officer, but no more than 6 tests per month, in order to confirm continued abstinence from these substances.

**Standard Condition # 2:** After initially reporting to the probation office, you will receive instructions from the court or the probation officer about how and when you must report to the probation officer, and you must report to the probation officer as instructed.

**Supporting Evidence:** The offender is alleged to have violated special condition number 4 and standard condition number 2 by failing to report to the U.S. Probation Office for an appointment with the probation officer on December 7, 2023. He also failed to submit to urinalysis testing on that same date.

On December 6, 2023, the probation officer instructed Mr. Werle to report to the U.S. Probation Office for a scheduled appointment on December 7, 2023. He was also informed that a urine specimen would be collected on that same date.

On December 7, 2023, Mr. Werle failed to report to the U.S. Probation Office as instructed.

- 4        **Special Condition # 4:** You shall abstain from the use of illegal controlled substances, and shall submit to urinalysis testing (which may include urinalysis or sweat patch), as directed by the supervising officer, but no more than 6 tests per month, in order to confirm continued abstinence from these substances.

**Supporting Evidence:** The offender is alleged to have violated special condition number 4 by ingesting a controlled substance, methamphetamine and amphetamine, on or about December 9, 2023.

On December 11, 2023, Mr. Werle submitted a urine specimen at the U.S. Probation Office that was presumptively positive for methamphetamine and amphetamine. When questioned by the probation officer, he admitted to using said substances on or about December 9, 2023.

- 5        **Standard Condition #7:** You must work full time (at least 30 hours per week) at a lawful type of employment, unless the probation officer excuses you from doing so. If you do not have full-time employment you must try to find full-time employment, unless the probation

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officer excuses you from doing so. If you plan to change where you work or anything about your work (such as your position or your job responsibilities), you must notify the probation officer at least 10 days before the change. If notifying the probation officer at least 10 days in advance is not possible due to unanticipated circumstances, you must notify the probation officer within 72 hours of becoming aware of a change or expected change.

**Supporting Evidence:** The offender is alleged to have violated standard condition number 7 by failing to notify the probation officer of his change in employment status within 72 hours.

On December 11, 2023, Mr. Werle reported to the U.S. Probation Office for a scheduled appointment. At that time, he informed the probation officer that he was fired from his job on December 7, 2023. As such, he failed to notify the probation officer within 72 hours of his change in employment.

6 **Special Condition #2:** You shall undergo a substance abuse evaluation and, if indicated by a licensed/certified treatment provider, enter into and successfully complete an approved substance abuse treatment program, which could include inpatient treatment and aftercare upon further order of the court. You must contribute to the cost of treatment according to your ability to pay. You must allow full reciprocal disclosure between the supervising officer and treatment provider.

**Supporting Evidence:** The offender is alleged to have violated special condition number 2 by being unsuccessfully discharged from substance abuse treatment on December 11, 2023.

On December 12, 2023, the probation officer was contacted by the offender's treatment counselor at Partners with Families and Children advising that Mr. Werle was discharged from treatment on December 11, 2023. She explained that Mr. Werle attended his first group treatment session on that same date and while in group, he passed a note to another client. Based on the contents in the note, the client asked Mr. Werle if he was threatening him, to which Mr. Werle responded, "you better feel threatened." This incident was also observed by the group treatment facilitator.

Based on his threatening behavior, Mr. Werle is no longer allowed to attend treatment at Partners with Families and Children and he has been discharged from the program.

The U.S. Probation Office respectfully recommends the Court issue a warrant requiring the offender to appear to answer to the allegation(s) contained in this petition.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: December 13, 2023

s/Lori Cross

Lori Cross

U.S. Probation Officer

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THE COURT ORDERS

- ☐ No Action
- ☒ The Issuance of a Warrant
- ☐ The Issuance of a Summons
- ☐ Other



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Signature of Judicial Officer

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12/14/2023

Date